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FINAL Environmental Assessment

McCONNELL & APPLE CONNECTIVITY PROJECT

Pleasant Hill Ranger District, Ozark – St. Francis National Forests
Johnson County, Arkansas



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INTRODUCTION

Purpose and Need for Action

The purpose of this project is to provide a more sustainable and better-connected system of roads in the area around McConnell and Apple Roads. The goals for this project are to promote better opportunities for off-highway vehicle (OHV) enthusiasts to have an integrated system of designated roads available to them, manage more efficiently and encourage public safety. This action is highly supported by the public as many of these roads have historically been utilized by OHV users and some routes that are currently closed to OHVs are more suitable for OHVs than highway legal vehicles.

The roads in this project area have mixed jurisdictions consisting of Forest Service (FS) roads, Johnson County (JO) roads and private roads. Some of these roads are open to highway legal vehicles only and some are open to all vehicles, which include OHVs. All the Johnson County roads are open to OHVs and some private roads allow OHVs and other vehicles access as well. The project area is popular for riding OHVs and other high clearance vehicles, but most of the open roads in this area are not very well connected with other open roads and points of interest. Also, there are a number of old road templates that have essentially not been used for many years and are so overgrown that they are barely recognizable on the ground.

This project will open some roads to OHV access for the purpose of improving overall connectivity of roads in the area. Also, this project will close some roads that are in poor locations and/or have minimal connectivity. Some of the old unneeded roads will be decommissioned. These roads are no longer needed for management purposes and have significant resource damage, pose a safety concern, are difficult to maintain, and/or dead-end on private property. Most of the roads being decommissioned are already closed roads.

We believe the project will provide for greater visitor satisfaction by providing a more interconnected system of open roads for OHVs and other vehicles. Cultural and natural resources will be protected by reducing roads in poor locations that are difficult to maintain. We can then focus road maintenance on higher priority roads that have better access and less potential for resource damage.

The purpose and need of this selected action reflect the guidelines of the designated management area recognized within the project area according to the 2005 Revised Land and Resource Management Plan (RLRMP) for the Ozark-St. Francis National Forests and are as follows:

- *Work with partners to develop travel management plans that regulate the use of off highway vehicles (OHVs) on designated roads and trails in an appropriate manner (RLRMP pg. 1-5).*
- *Improve management of OHV access and use on National Forest lands to preserve high-quality experience for all recreation users (RLRMP pg. 1-6).*

- *Review every three to five years the OHV use strategy and designation to determine whether the open or close OHV use designations, locations of trails, vehicle types, and seasonal use are still valid (RLRMP pg. 1-48).*

Selected Action

The selected action is based upon collaboration with partners along with field inspections of roads on the Pleasant Hill Ranger District. The project area is on the attached map. The northern boundary of the project includes JO 4490 (Low Gap Road); the west boundary is Highway 103; the south boundary is the Forest Service proclamation boundary line; and the east boundary is Highway 21.

Within this project area there are existing “**open to all vehicles**” roads, which includes OHVs, including FS1400B, FS1427A, FS1427-2, FS1427 (McConnell Road), and various Johnson County roads. There are several Forest Service roads in the project area that are “**open to highway legal vehicles only**”, which does not include OHVs. Both types of roads are shown on the Motor Vehicle Use Map (MVUM), which identifies the open roads on the Pleasant Hill Ranger District. The 2020 MVUM is available to download online at <https://www.fs.usda.gov/main/osfnf/maps-pubs>. Also, there are closed roads throughout the project area that consist of primarily Maintenance Level 1: Basic Custodial Care (closed) roads.

The selected action includes the following management actions:

1. Change roads status to “open to all vehicles” – 10.5 miles (**Note:** *it was determined after engineering analysis that a proposed route (FS 1430) is not suitable for OHV use, therefore has been removed from consideration. This decreased the overall mileage of roads “open to all vehicles” by 1.5 miles making a total of 10.5 miles that will be “open to all vehicles).*
2. Seasonally open roads to all vehicles – 4 miles
3. Change road status to “Level 1: Basic Custodial Care (closed)” – 14 miles (**Note:** *After further consideration, it was determined that the section of FS 94338A across National Forest will not be closed. This section of road is approximately 0.3 miles and will remain an open road as shown on the map.*
4. Decommission roads – 21 miles
5. Realign roads – 0.5 miles

The Travel Analysis Plan (TAP) from 2016 was evaluated and considered when developing the proposed action. A copy of the TAP map for the project area is available in the project record. Prior to the designation of a National Forest Service (NFS) roads for motorized mixed use, a qualified engineer is currently conducting an engineering analysis of the project area. This involves a technical evaluation of the roads and recommendations regarding motorized mixed use of the roads including mitigation measures. The engineering analysis report will be a part of the project file once completed.

Change Roads Status to Open to All Vehicles

There are 10.5 miles of roads approved to open to all vehicles, which includes OHVs. These roads are popular roads and provide good connectivity and loops between existing open roads and points of interest within the project area. For example, the Apple Road is a popular road that runs north-south and connects county roads JO 4420 and JO 4411. Also, the FS1422A (Wet Spadra Road) goes to a very popular point of interest (Spainhour Falls) within the project area.

The following Forest Service roads have been selected to be open to all vehicles. These roads can also be found on the attached map:

FS 1450 (Elkins Hollow) – This road connects with JO 4320 on the south and ties into FS 1427A, which is already open to all vehicles to the north. This road will open approximately 1 mile to all vehicles, including OHVs.

FS 1422 (Spadra Road) – This route is currently open to highway legal vehicles only. It connects FS 1422 (Spadra Road) to JO 4411 which then intersects with JO 4490 (Low Gap Road). This route includes approximately 2.5 miles that will allow the use of all vehicles, including OHVs.

FS 1422A (Wet Spadra Road) – The FS 1422A (Wet Spadra Road) goes to Spainhour Falls, which is a popular point of interest and is described in the Tim Ernst's book "Arkansas Waterfalls". Previously MVUM showed FS 1422A as an open Johnson County road, but it is no longer a county road. In order to legally open this Forest Service road, we proposed to designate it as "open to all vehicles". However, the southern section of road crosses private property and the Forest Service does not have legal easements across the private property. The section of road across these private lands will not be shown open on the Forest Service's MVUM unless permanent public easements are acquired from the landowners. The Forest Service will attempt to contact landowners to seek legal easements across the private property. However, if an easement is not obtained then only the Forest Service's jurisdiction portion of the road will be shown as open to all vehicles on the MVUM. The FS 1422A road will open approximately 3 miles to all vehicles, including OHVs.

FS 1429 (Apple Road) – This road is currently open to highway legal vehicles only. It connects FS 1422 (Spadra Road) to JO 4411 which then intersects with JO 4490 (Low Gap Road). This route includes approximately 2.5 miles that would allow the use of all vehicles, including OHVs.

NOTE: The draft EA proposed opening FS 1430 to all motorized use. However, after a thorough engineering analysis of this road it was determined not suitable for motorized use. Therefore, we decided to remove this road from consideration. This eliminates approximately 1.5 miles from "open to all motorized vehicles." This change is illustrated on the attached map.

Seasonally Open Roads to All Vehicles

Approximately 4 miles of road will be seasonally opened during turkey hunting season and white-tailed deer hunting season. The remainder of the year the roads will remain closed.

FS 94384A – This road is popular area during hunting season. To accommodate hunters' access, this road will be designated as open: November 1st to January 1st and April 1st to April 30th.

FS 1436 – This road is currently seasonally open for deer season (November 1st to January 1st). This road will also be open during turkey season (April 1st to April 30th).

Change Roads Status to “Level 1: Basic Custodial Care (Closed)”

Approximately 14 miles of roads will be closed to motorized use and designated as Maintenance Level 1: “Basic Custodial Care”. Foot travel will still be allowed on these roads. These are roads in poor locations that provide minimal if any connectivity. Most of these roads have minimal use and dead-ends on the Forest or on private property. Generally, these roads are overgrown and in need of extensive maintenance.

Decommission Roads

Approximately 21 miles of existing roads will be decommissioned. These roads are no longer needed for management or access. Decommissioning entails restoring roads to a more natural state. Activities used to decommission roads will include but are not limited to the following: re-establishing former drainage patterns, stabilizing slopes, restoring vegetation, blocking the entrance to the road, installing water bars (earthen mounds), and removing culverts.

Decommissioning roads will be out-sloped and all natural drainages will be reconstructed. The roads selected to be decommissioned cover 90% that are currently closed Level 1 roads (19.5 miles). These Level 1 roads are heavily overgrown and are not needed for future resource management. Approximately 1.5 miles proposed for decommissioning are Level 2 roads that are currently open to highway legal vehicles only. Also, these roads are in poor condition, have no connectivity to other open roads, and/or dead-end on private property.

Realign Road

FS 1436 (Lassiter Road) – A short section of *FS 1436* will be realigned on the MVUM so it will correctly match on the map where the road is located. The portion of the road that is being realigned will be opened to highway legal vehicles only. No new construction or reconstruction will be needed.

Approximately 0.5 miles will be realigned.

Issues

The proposed project was sent to all landowners within the project boundary, tribes, and the Pleasant Hill interested citizens list. A total of 15 comments were

received via email or phone call. No issues of concern were brought up through public feedback that would lead to developing an additional alternative.

FS 94338A is a road within the project area that crosses both private property and public land. Several landowners with property on this road called concerned about the map showing the decommissioning of the road. A conference call was set up with a group of these landowners and they were given the option to either obtain an easement through a special use permit (SUP) fee in order to have exclusive access or the road crossing public land would remain an open road to the public. The portion of road that crosses private property would be removed from the MVUM. The decision will not affect the outcome of the project.

The landowners decided not to pursue a SUP for exclusive use, therefore the section of road that crosses national forest will be changed to show as an open forest service road to highway vehicles only. This change is shown on the attached map.

ALTERNATIVES, INCLUDING THE PROPOSED ACTION

Because no issues arose during the scoping process, it was decided by the Interdisciplinary Team (IDT), that only the no action and proposed action alternatives would be required for this project. The No Action Alternative is referred to as Alternative 1 throughout the document and the Proposed Action will be referred to as Alternative 2 or the Selected Action.

Alternatives

The No Action (Alternative 1)

The present/existing level of management would continue in the project area. Motorized use on these roads would continue without proper management and the conditions of the roads could deteriorate in time. User-created trails would most likely continue to be a problem in the project area leading to more resource damage to of the Forest.

The Selected Action (Alternative 2)

The Forest Service will be changing the classification of the roads previously described from Level 3 and 2 “Open to Motorized Highway Vehicles Only” to Level 3 and 2 “Open to All Motorized Vehicles.” Additionally, some roads that are in poor condition or location will be closed or decommissioned.

Project Design Criteria

For the Selected Action, all applicable standards in the 2005 RLRMP would be applied.

ENVIRONMENTAL CONSEQUENCES

Project Issue Effects

No issues were submitted by the public during the 14-day scoping period and the IDT does not anticipate any negative impacts due to the implementation of this project because these roads are currently open to highway vehicles and are also being utilized by OHVs.

Public Health or Safety

There is potential for more traffic on the routes approved to be opened to OHVs, however, with better connectivity between other routes and points of interest it is anticipated that OHV use on paved highways would decrease. To provide for a safer route, proper signage will be installed at appropriate locations along each road. Signage will help inform drivers of possible encounters with OHVs, ATVs, and other passenger vehicles. Under Forest Service jurisdiction, some roads may be eligible for Emergency Relief for Federally Owned (ERFO) funding for routine maintenance or reconstruction.

Unique Characteristics of the Geographic Area

These roads are situated within the Boston Mountain eco-region located in the central part of the Ozark National Forest. The project area currently has designated OHV routes and receives high use from the public throughout the year. A specific point of interest within the project area is Spainhour Falls. This is a very popular waterfall and is mentioned in Tim Ernst book, "Arkansas Waterfalls".

Quality of the Human Environment

It is anticipated that the selected action will have positive effects to the human environment by allowing more access for the public to enjoy OHV use and provide better connectivity between open routes and other points of interest. Because these roads are already open to highway vehicles it is not anticipated that it will cause negative effects to private landowners living along the roads. During the scoping of this project, no private landowners brought this up as an issue.

Uncertainty

It is anticipated that the selected action may cause an increase in mixed motorized use safety of the public will be the priority. Therefore, proper signage will be installed to help keep motorists informed and other mitigation measure may be enforced based on the final engineer analysis report. All state and federal laws for motorized vehicle use should be observed by individuals utilizing the roads. No negative effects are anticipated for this project.

Precedent for Future Actions

Future actions will include analysis of other areas of the district that may be suitable for OHV use and roads that create better connectivity. Consequently, some roads across the district that are in poor condition or location may be subject to being rerouted or closed in a subsequent analysis.

Cumulative Effects

Motorized use would continue as status quo for the roads within the project area under Alternative 1. User-created trails would continue to be utilized and roads would continue to deteriorate, and resource damage would continue to occur.

Under the selected action, opening the approved roads shown on the attached map to all motorized use will allow a better network of authorized OHV routes. With the implementation of the selected action, there will be a more sustainable system of routes to manage within the project area. Also, closing or decommissioning some roads within the project area will decrease resource damage.

Cultural Resources

In accordance with the National Historic Preservation Act (NHPA) of 1966, as amended in 1992, and 36 CFR 800 regulations with respect to inventory survey adequacy, National Register of Historic Places (NRHP) eligibility of archeological sites and the expected effects of the actions selected with project alternatives on cultural resources, cultural resource inventories were conducted to identify historic properties. Historic properties are defined at 36 CFR 800.16(1) as cultural resource sites that may be eligible for listing in the National Register of Historic Places.

Work for this project will generally occur in areas that have been previously surveyed and where no cultural resources will be disturbed or impacted. A resurvey of the areas that have received previous, adequate survey is not required as determined by the Zone or Forest Archeologist. However, in areas with higher probabilities of containing sites, additional testing may be conducted during the planning phase to ensure that no additional sites will be impacted. Areas which have not been surveyed, and where work is planned which has the potential to effect known or unknown archeological sites, will require additional fieldwork. Fieldwork will be done on a phased basis, as determined by project needs.

This fieldwork is conducted under the supervision of the Zone or Forest Archeologist and procedures are based on Appendix B in *A State Plan for the Conservation of Archeological Resources in Arkansas* (Davis 1982), *Guidelines For Completing Heritage Resource Surveys on The National Forests in Arkansas and Oklahoma and Ouachita and Ozark-St. Francis National Forests* (Etchieson et al 1993), and *A Programmatic Agreement among the USDA Forest Service,*

Ouachita National Forest, Arkansas and Oklahoma, Ozark-St Francis National Forests, Arkansas, the State Historic Preservation Offices of Arkansas and Oklahoma, Oklahoma State Archeologist, the Advisory Council on Historic Preservation and Federally Recognized Indian Tribes concerning the Management on Forest Lands (2006.).

HP1: Site Avoidance During Project Implementation

Avoidance of historic properties (HP) will require the protection from effects resulting from the undertaking. Effects will be avoided by establishing clearly defined site boundaries and buffers around archeological sites where activities might result in an adverse effect. Buffers will be of sufficient size to ensure that integrity of the characteristics and values which contribute to, or potentially contribute to the properties' significance will not be affected.

HP2: Other Protection Measures

If it is not feasible or desirable to avoid a historic property that may be harmed by a project activity (HP1), then the following steps will be taken: (1) In consultation with the Arkansas State Historic Preservation Office (SHPO), the site(s) will be evaluated against National Register of Historic Places (NRHP) significance criteria (36 CFR 60.4) to determine eligibility for the NRHP. The evaluation may require subsurface site testing; (2) In consultation with the Arkansas SHPO, tribes and nations, and with the Advisory Council on Historic Preservation (ACHP) if required, mitigation measures will be developed to minimize the adverse effects on the site, so that a finding of No Adverse Effect results; (3) The agreed-upon mitigation measures will be implemented prior to initiation of activities having the potential to affect the site.

HP3: Discovery of Cultural Resources during Project Implementation

Although cultural resources surveys were designed to locate all NRHP eligible archeological sites and components, these may go undetected for a variety of reasons. Should unrecorded cultural resources be discovered, activities that may be affecting that resource will halt immediately. The resource will be evaluated by an archaeologist, and consultation will be initiated with the SHPO, tribes and nations, and ACHP, to determine appropriate actions for protecting the resource and mitigating adverse effects. Project activities at that locale will not resume until the resource is adequately protected and until agreed-upon mitigation measures are implemented with SHPO approval.

Current Conditions

Known Cultural Resources. Known archeological sites have been identified in or near the project area as a result of previous cultural resources inventory surveys. Based on scientific evaluation and consultation with the SHPO and Tribes, some of these sites were determined to be ineligible for listing in the NRHP while others will require more investigation to formally determine their eligibility and will need to be protected.

Effects Analysis

The scope of the analysis for potential effects to cultural resources includes the entire Apple and McConnell Project Area and considers the approved activities within project areas as well as access to these areas.

An effect to a cultural resource is “....alteration to the characteristics of historic property qualifying it for inclusion in or eligibility for National Register.” (36 CFR 800.16(i)) Any project implementation activity that has potential to disturb the ground also has potential to directly affect archeological sites. Specific activities outlined in the Apple and McConnell Project Area that have potential to directly affect cultural resources include use of motorized vehicles where ground disturbance takes place outside existing right-of-way areas.

Approved activities that do not have potential to affect cultural resources, and therefore, are not considered undertakings for purposes of this project include: on-going maintenance of existing forest roads or reconstruction of previously existing/surveyed roads where ground disturbance does not take place outside existing road prisms and existing drainage features, rehabilitations/closure of temporary roads, road decommissioning using non-ground disturbing methods, use of these existing roads as firelines and non-native invasive plant species control using non-ground disturbing methods.

In general, project activities have the potential to affect cultural resources by encouraging increased visitor use to those areas of the Forest in which cultural resources are located. Increased visitor use of an area in which archeological sites are located can render the sites vulnerable to both intentional and unintentional damage. Intentional damage can occur through unauthorized digging in archeological sites and unauthorized collecting of artifacts from sites. Unintentional damage can result from such activities as driving motorized vehicles across archeological sites, as well as from other activities, principally related to dispersed recreation, that lead to ground disturbance. Effects may also include increased or decreased vegetation on protected sites due to increased light with canopy layer reduction outside of the protected buffer.

Alternative 1

Direct and Indirect Effects

Currently, archeological surface and subsurface site integrity in the project area is subject to adverse effects from the potential decline of unmanaged forest and roadways. These conditions pose the potential for increased erosion and unauthorized access issues, thereby altering the physical integrity and/or research value of archeological sites or site components. Resulting soil exposure can lead to an increase in erosion, thus disturbing or leading to a loss of archeological soil matrices and/or site components. With the No Action Alternative, historic properties likely would continue to degrade. There would be no change in effects from the current condition, and the potential threat to integrity of cultural resources would remain unchanged.

Cumulative Effects

Cumulative effects are not expected to occur; there are no past or present actions affecting cultural resources, nor are there future actions planned that would affect cultural resources.

Alternative 2 (Selected Action)

Direct and Indirect Effects

Approved access changes and road status can impact cultural resources. Surface artifacts or features may be exposed, disturbed or removed due to increased access and visibility.

Project components that have potential to directly affect the archeological sites include road management activities outside of roads' prism and ground disturbing activities associated with road decommissioning (e.g. building road berms). Adverse effects to cultural resources resulting from project activities could be avoided provided site avoidance and site protection measures are properly applied to known historic properties. In that instance, project activities will not be expected to adversely affect archeological sites.

Cumulative Effects

Forest Service activity in the project area and adjacent watershed areas has been extensive. Project scoping and analysis have not disclosed any definitive plans for use on non-national forest lands in the project area. Cumulative effects to cultural resources are not expected to occur. Known or discovered historic properties will be monitored to ensure continued protection.

Threatened, Endangered, and Sensitive Species

Changes to road classifications for the project were analyzed for effects to threatened, endangered and sensitive species (TES). Since these actions do not involve removal or disturbance of vegetation and only designate legality of classes of vehicle use on existing road prisms, there will be no effects to TES species.

Four TES bat species are known to inhabit the areas of the approved road designation change. There are no foreseeable, additional management activities in this area (not associated with this project) that will directly or indirectly affect the Ozark big-eared bat, gray bat, Indiana bat or Northern long-eared bat or cause additive or synergistic adverse cumulative impacts in conjunction with the Selected Action.

The determination of effects for these four bat species is: "no effect". No consultation with the U.S. Fish and Wildlife Service is required.

For all Region 8 Sensitive Species that may inhabit the areas of approved road designation change, the road designation changes are not likely to cause a trend to the federal listing of these species under the Endangered Species Act. Furthermore, there will be no loss of population viability for these species due to implementation of this project.

Federal, State, or Local Laws

The Selected Action meets all conditions of the RLRMP and Amendments and other applicable State and Federal Laws and Regulations.

CONSULTATION AND COORDINATION

The Forest Service consulted the following individuals, Federal, State, and local agencies, tribes and non-Forest Service persons during the development of this environmental assessment:

ID TEAM MEMBERS:

Name	Position	Office
Matt Pfeifler	NEPA Coordinator/Recreation Manager	Pleasant Hill Ranger District
Greg Taylor	Wildlife Biologist	Pleasant Hill Ranger District
Tara Smith	Zone Archaeologist	Pleasant Hill/Boston Mountain Ranger District
Daniel Heinzen	Engineering Technician	Pleasant Hill Ranger District
Ben Gentry	Civil Engineering Technician	Ozark National Forest Supervisors Office
Janine Book	Forest Environmental Coordinator	Ozark National Forest Supervisors Office
Sammie McDowell	Forest Engineer	Ozark National Forest Supervisors Office
Brandon Roberts	Transportation Engineer	Ozark National Forest Supervisors Office
Jason Engle	District Ranger	Pleasant Hill Ranger District

FEDERAL, STATE, AND LOCAL AGENCIES

Herman Houston	Johnson County Judge
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TRIBES:

Name	Location
Caddo Indian Tribe of Oklahoma	Binger, Oklahoma
Cherokee Nation of Oklahoma	Tahlequah, Oklahoma
Osage Nation	Pawhuska, Oklahoma
Quapaw Tribe of Oklahoma	Quapaw, Oklahoma
Tunica-Biloxi Tribe of Louisiana	Marksville, Louisiana
United Keetoowah Band of Cherokee	Tahlequah, Oklahoma

Indians	
Jena Band of the Choctaw Indians	Jena, Louisiana